

OFFICIAL GAZETTE



GOVERNMENT OF GOA

GOVERNMENT OF GOA

URBAN DEVELOPMENT DEPARTMENT

Notification

3-13-8-84-LAWD

Whereas certain draft rules further to amend the Goa, Daman and Diu Municipalities (Cattle-Pound) Rules, 1971 were published as required by sub-section (3) of section 306 of the Goa, Daman and Diu Municipalities Act, 1968 (Act 7 of 1969) at pages 552 and 553 of the Official Gazette, Series I, No. 32 dated 4-11-1993 under the Notification No. 3-13/8/84-LAWD dated 15-10-1993 of the Urban Development Department, Government of Goa inviting objections and suggestions from all persons likely to be affected thereby before the expiry of fifteen days from the date of publication of this Notification in the Official Gazette;

2. And whereas the said Gazette was made available for the public on 4-11-1993.

3. And whereas no objections and suggestions have been received from the public on the said draft by the Government.

4. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 306 read with sub-section (1) of section 272 and sub-section (1) of section 274 of the Goa, Daman and Diu Municipalities Act, 1968 (Act 7 of 1969), and all other powers enabling in that behalf, the Government of Goa hereby makes the following rules so as to further amend the Goa, Daman and Diu Municipalities (Cattle-Pound) Rules, 1971, namely:—

5.1. *Short title and commencement.* — (1) These rules may be called the Goa Municipalities (Cattle-Pounds) (Second Amendment) Rules, 1994.

(2) They shall come into force at once.

2. *Amendment of Schedules.* — For the First and Second Schedules to the Goa, Daman and Diu Municipalities (Cattle-Pounds) Rules, 1971, the following

Schedules shall be substituted, respectively, namely: —

FIRST SCHEDULE

(See rule 6)

Cattle	Pound fee per head of cattle per day
Elephant, camel or buffalo...	Rs. 150/-
Horse, mare, gelding, pony, colt, filly, mule, bull, bullock, cow or heifer	Rs. 125/-
Calf or ass	Rs. 100/-
Ram, ewe, sheep, lamb, goat or kid	Rs. 80/-

SECOND SCHEDULE

(See rule 16)

Cattle	Amount of security deposit per head of the cattle		
	Municipa- lities 'A' Class	Municipa- lities 'B' Class	Municipa- lities 'C' Class
1	2	3	4
Elephant, camel, or buffalo	Rs. 250/-	Rs. 200/-	Rs. 150/-
Horse, mare, gelding, pony, colt, filly, mule, bull, bullock, cow or heifer	Rs. 200/-	Rs. 150/-	Rs. 100/-
Calf or ass	Rs. 150/-	Rs. 100/-	Rs. 75/-
Ram, ewe, sheep, lamb, goat or kid	Rs. 100/-	Rs. 75/-	Rs. 50/-

By order and in the name of the Governor of Goa.

E. A. Cardozo, Under Secretary to the Government of Goa (Revenue).

Panaji, 15th February, 1994.

LEGISLATURE SECRETARIAT

Notification

LA/B/688/1994

The following Bill which was introduced in the Legislative Assembly of Goa on 7-3-94 is hereby published for general information in pursuance of the provisions of Rule-138 of the Rules of Proce-

duration and Conduct of Business of the Legislative Assembly.

Panaji, 8th March, 1994.

The Goa Land Revenue Code (Amendment) Bill, 1994

(Bill No. 4 of 1994)

A

BILL

further to amend the Goa Land Revenue Code, 1968.

Be it enacted by the Legislative Assembly of Goa in the Forty-fifth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Goa Land Revenue Code (Amendment) Act, 1994.

(2) It shall come into force at once.

2. *Amendment of section 61.*—In section 61 of the Goa Land Revenue Code, 1968 (Act 9 of 1969) (hereinafter referred to as the “principal Act”), after sub-section (3), the following shall be inserted, namely:—

“Provided that nothing in this sub-section shall apply to any land acquired under the Land Acquisition Act, 1894 (Central Act 1 of 1894), in respect of which no suit is pending in any Court and it shall be lawful for the Director of Settlement and Land Records to carry out partition and effect necessary changes in the land record on the basis of records relating to possession obtained under section 16 of the Land Acquisition Act, 1894 (Central Act 1 of 1894).”

3. *Amendment of section 97.*—In section 97 of the principal Act, after sub-section (2), the following shall be inserted, namely:—

“Provided that nothing in this sub-section shall apply to the lands acquired under the Land Acquisition Act, 1894 (Central Act 1 of 1894), in respect of which no suit is pending in any Court and it shall be lawful for the Talathi to carry out the mutation on the basis of records relating to possession obtained under section 16 of the Land Acquisition Act, 1894 (Central Act 1 of 1894).”

Statement of Objects and Reasons

In order to simplify the procedure prescribed under sections 61 and 97 of the Goa Land Revenue Code, 1968, in respect of Government land and land acquired under the Land Acquisition Act, 1894, and in order to avoid the re-acquisition of the same land, since the procedure prescribed there-under is cumbersome and time consuming as a result of which the acquiring Department do not apply for the partition of land or mutation entry, it is proposed to suitably amend sections 61 and 97 of the Goa Land Revenue Code, 1968, so as to obviate the difficulties faced by the acquiring Department.

This Bill seeks to achieve the above objects.

Financial Memorandum

No financial implications are involved in this Bill.

Memorandum on Delegated Legislation

No delegated legislation is envisaged in this Bill.

Panaji,
8th February, 1994

WILFRED DE SOUZA
Chief Minister

Assembly Hall,
Panaji,
28th February, 1994.

ASHOK B. ULMAN
Secretary to the Legislative
Assembly of Goa.

[Annexure to Bill No. 4 of 1994]

The Goa Land Revenue Code (Amendment) Bill, 1994

The Goa Land Revenue Code Act, 1968

(Act 9 of 1969)

61. *Partition.*—(1) Subject to the provisions of any law for the time being in force for the prevention of fragmentation and consolidation of holdings, a holding may be partitioned on the decree of a Civil Court or on application of co-holders in the manner hereinafter prescribed.

(2) If in any holding there are more than one co-holder, any such co-holder may apply to the Collector for a partition of his share in the holding:

Provided that, where any question as to title is raised, no such partition shall be made until such question has been decided by a civil suit.

(3) Subject to the provisions of sub-section (4), the Collector may, after hearing the co-holders, divide the holding and apportion the assessment of the holding in accordance with the rules made by the Government under this Code.

97. *Register of mutations and register of disputed cases.*—

(1) The Talathi shall enter in a register of mutations in such form as may be prescribed every report made to him under section 96 or any intimation of acquisition or transfer under section 102 or from any Collector.

(2) Whenever a Talathi makes an entry in the register of mutations, he shall at the same time post up a complete copy of the entry in a conspicuous place in the village or where there is a village Panchayat, on the notice board of such Panchayat, and shall give written intimation to all persons appearing from the record of rights or register of mutations to be interested in the mutation, and to any other person whom he has reason to believe to be interested therein.

Assembly Hall,
Panaji,
28th February, 1994.

ASHOK B. ULMAN
Secretary to the Legislative
Assembly of Goa.

LA/B/687/1994

The following Bill which was introduced in the Legislative Assembly of Goa on 2-3-94 is hereby published for general information in pursuance of the provisions of Rule-138 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

Panaji, 8th March, 1994.

THE GOA SUPPLEMENTARY APPROPRIATION BILL, 1994

(Bill No. 1 of 1994)

A Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the State of Goa for the services and purposes of the financial year 1993-94.

BE it enacted by the Legislative Assembly of Goa in the Forty-fifth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Goa Supplementary Appropriation Act, 1994.

2. *Issue of Rs. 1,76,37,25,100 out of the Consolidated Fund of the State of Goa for the financial year 1993-94.*—From and out of the Consolidated Fund of the State of Goa, there may be paid and applied sums not exceeding those specified in column 5 of the Schedule amounting in the aggregate to the sum of one hundred seventy six crores thirty seven lakhs twenty five thousand and one hundred rupees towards defraying the several charges which will come in course of payment during the financial year 1993-94 in respect of the services and purposes specified in column 2 of the Schedule.

3. *Appropriation.*—The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Goa, by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said financial year.

THE SCHEDULE

(See Sections 2 & 3)

No. of Demand	Services and purposes	Sums not exceeding		
		Voted by Assembly	Charged on the Consolidated Fund of the State of Goa	Total
1	2	3	4	5
		Rs.	Rs.	Rs.
1.	State Legislature	8,97,000	10,000	9,07,000
2.	Governor	—	12,38,000	12,38,000
3.	Council of Ministers	15,00,000	—	15,00,000
4.	Administration of Justice	8,94,000	—	8,94,000
6.	Land Revenue, Stamps and Registration	7,41,000	—	7,41,000
7.	State Excise, Sales Tax and Other Taxes and Duties	11,76,000	—	11,76,000
9.	Secretariat	28,49,000	—	28,49,000
10.	District Administration	26,43,000	—	26,43,000
11.	Treasury and Accounts Administration	5,33,000	—	5,33,000
12.	Police	82,02,000	—	82,02,000
13.	Jails	2,59,000	—	2,59,000
16.	Public Works	65,00,000	—	65,00,000
17.	Other Administrative Services	14,39,000	—	14,39,000
18.	Pension	30,00,000	—	30,00,000
20.	General Education	4,00,00,000	—	4,00,00,000
21.	Technical Education	14,19,000	—	14,19,000
22.	Sports and Youth Services	97,59,000	—	97,59,000
23.	Art and Culture	23,26,000	—	23,26,000
24.	Medical and Public Health	2,34,85,000	—	2,34,85,000
26.	Water Supply and Sanitation	9,97,07,600	12,500	9,97,20,100
27.	Housing	20,00,000	—	20,00,000

1	2	3	4	5
		Rs.	Rs.	Rs.
28.	Urban Development	52,25,000	—	52,25,000
29.	Information and Publicity	7,00,000	—	7,00,000
30.	Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes	1,29,000	—	1,29,000
31.	Labour and Employment	16,50,000	—	16,50,000
32.	Social Security and Nutrition	40,10,000	—	40,10,000
34.	Agriculture	45,33,000	—	45,33,000
35.	Animal Husbandry including Dairy	5,20,000	—	5,20,000
36.	Fisheries	5,54,000	—	5,54,000
37.	Forestry and Wild Life	12,00,000	—	12,00,000
38.	Food and Civil Supplies	6,20,000	—	6,20,000
40.	Community Development and Panchayat	23,68,000	—	23,68,000
41.	Special Area Programme	39,05,000	—	39,05,000
42.	Irrigation and Flood Control	35,91,000	—	35,91,000
43.	Energy	4,79,41,000	—	4,79,41,000
44.	Industries and Minerals	1,35,10,000	—	1,35,10,000
45.	Ports and Lighthouses	1,34,000	—	1,34,000
46.	Roads and Bridges	2,66,88,000	—	2,66,88,000
48.	Inland Water Transport Services	35,15,000	—	35,15,000
49.	Tourism	19,13,000	—	19,13,000
50.	Census, Surveys and Statistics	4,02,000	—	4,02,000
—	Public Debt	—	1,43,00,27,000	1,43,00,27,000
	Total	33,24,37,600	1,43,12,87,500	1,76,37,25,100

Financial Memorandum

Provision is made in the Bill to appropriate for certain services and purposes expressed in the Schedule during the financial year ending 31st March, 1994 a sum of Rs. 1,76,37,25,100 over and above the amounts granted for those services for the financial year 1993-94. The amount mentioned above consists of Rs. 23,88,81,000 on Revenue Account and Rs. 1,52,48,44,100 on Capital Account.

This Bill is introduced in pursuance of Article 205(1) read with Article 204 of the Constitution of India to provide for the Supplementary Appropriation out of the Consolidated Fund of the State of Goa of the moneys required to meet the amounts required on certain services during the financial year, 1993-94 in excess of the amounts granted for those services.

Panaji,
March, 1994.

DR. WILFRED D'SOUZA
Chief Minister

Legislative Assembly of Goa

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BILL

To give effect to the financial proposal of the State of Goa for the financial year 1993-94.

The Governor has, in pursuance of clauses (1) and (3) of Article 207 of the Constitution of India, recommended to the Legislative Assembly, the introduction and consideration of the Bill.

ASHOK B. ULMAN
Secretary, Legislature Department

LA/B/732/1994

The following Bill which was introduced in the Legislative Assembly of Goa on 11-3-1994 is hereby published for general information in pursuance of the provisions of Rule- 138 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

The Goa Town and Country Planning (Amendment) Bill, 1994
(Bill No. 6 of 1994)

A

BILL

further to amend the Goa, Daman and Diu Town and Country Planning Act, 1974.

Be it enacted by the Legislative Assembly of Goa in the Forty-fifth Year of the Republic of India as follows: —

1. *Short title and commencement.* — (1) This Act may be called the Goa Town and Country Planning (Amendment) Act, 1994.

(2) It shall come into force at once.

2. *Amendment of section 44.* — In sub-section (4) of section 44 of the Goa, Daman and Diu Town and Country Planning Act, 1974 (Act 21 of 1975), —

(i) in clause (iii), the word “and” shall be omitted; and

(ii) after clause (iii), the following clause (iii a) shall be inserted, namely: —

“(iii a) the rights of any person having a dwelling house therein to purchase the said dwelling house alongwith the land around or appurtenant thereto under section 15 of the Goa, Daman and Diu Mundkars (Protection from Eviction) Act, 1975 (Act 1 of 1976), —

(a) if he already stands registered as Mundkar or

(b) if he is not so registered, after his registration as a mundkar;

under section 29 of the Goa, Daman and Diu Mundkars (Protection from Eviction) Act, 1975.

Explanation. — For the purpose of this sub-section, the words “mundkar” and the “dwelling house” shall have the meanings as assigned to them in the Goa, Daman and Diu Mundkars (Protection from Eviction) Act, 1975.”.

Statement of Objects and Reasons

In terms of sub-section (4) of section 44 of the Goa, Daman and Diu Town and Country Planning Act, 1974, the Planning and Development Authority in dealing with the applications for permission under that section is required to have regard to certain matters as enumerated in clauses (i), (ii), (iii) and (iv).

However, there is no provision to safeguard the right of any person having dwelling house in the land sought to be developed at the time of granting permission for development and in the absence of such provision, the rights of such persons are not protected.

It is therefore proposed to insert a new clause (iii a) in sub-section (4) to safeguard such a right.

This Bill seeks to achieve the above object.

Financial Memorandum

No financial implications are involved in the Bill.

Panaji,
28th February, 1994

LUIS ALEX CARDOZ
M. L. A.

Assembly Hall
Panaji,
2nd March, 1994

ASHOK B. ULMAN
Secretary to the
Legislative Assembly of Goa

(Annexure to Bill No. 6 of 1994)

The Goa Town and Country Planning (Amendment)
Bill, 1994

The Goa, Daman and Diu Town and Country Planning Act, 1974
[Act No. 21 of 1975]

Section 44(4) The Planning and Development Authority in dealing with the applications for permission under this Section shall have regard to —

- (i) the provisions of any Development Plan which has come into operation.
- (ii) the proposals or provisions which it thinks are likely to be made in any Development Plan under preparation, or to be prepared;
- (iii) to the relevant bye-laws or regulations of the local authority concerned, and
- (iv) any other material consideration.

Assembly Hall
Panaji,
2nd March, 1994.

ASHOK B. ULMAN
Secretary to the
Legislative Assembly
of Goa.

Law (Establishment) Department

Notification

2-5 (3) 93-LD.

The following Notification by the High Court of Judicature at Bombay is hereby published for general information of the public.

Anthony Ferrao, Under Secretary (Law).

Panaji, 2nd March, 1994.

NOTIFICATION BY THE HIGH COURT OF JUDICATURE AT BOMBAY

In exercise of the powers conferred by Article 229 (2) of the Constitution of India, the Honourable the Chief Justice, with the approval of the Governor of Goa, is pleased to direct that the following sets of Maharashtra Civil Services Rules:—

1. Maharashtra Civil Services (General Conditions of Services) Rules, 1981.
2. Maharashtra Civil Services (Pay) Rules, 1981.
3. Maharashtra Civil Services (Joining Time, Foreign Service and Payments during suspension, dismissal and Removal) Rules, 1981.
4. Maharashtra Civil Services (Leave) Rules, 1981.
5. Maharashtra Civil Services (Pension) Rules, 1982.

as amended up-to-date shall apply to the officers and the members of the staff working on the establishment of the Common High Court for the State of Maharashtra and Goa, and for the Union Territories of Dadra and Nagar Haveli, and Daman and Diu, with effect from 30-10-1982 subject to the modification that all powers to be exercised by the Government of Maharashtra under the above rules will be exercised by the Honourable the Chief Justice in case of the Officers and the members of the staff attached to the Common High Court of Maharashtra and Goa, Panaji (Goa).

The Honourable the Chief Justice is further pleased to direct that any orders under the amendments to the above rules that will be issued by the Government of Maharashtra from time to time shall automatically apply to the Officers and the members of the staff attached to the Common High Court of Maharashtra and Goa, Panaji (Goa) subject to the modification stated above, unless otherwise directed by His Lordship:

Provided further that all questions relating to the interpretation of any of the above rules in so far as it relates to salaries, allowances, leave or pension shall be decided by the Chief Justice with the approval of the Governor of Goa:

Provided if provisions in Maharashtra Civil Services Rules not involving financial implications are

contrary to directions or rules issued by Honourable the Chief Justice then the directions issued by Honourable the Chief Justice shall prevail.

High Court,
Appellate Side,
Bombay.
22nd September, 1993.

Sd/—
(V. G. Hamnodkar)
Additional Registrar
(Estt.).

Government Press

Notice

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Renewal of subscription from 1st April should be effected on or before 31st March, 1994, in order to avoid interruption in the despatch of copies of the Gazette. It should be noted that, in case the subscription is not opened/renewed before the commencement of the period to which it refers, the subscribers will be entitled to receive copies of the Gazette only from the date the subscription is actually opened/renewed.

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For half year	72-00	36-00	30-00	36-00
(Postage)	8-00	8-00	8-00	8-00
For any period exceeding				
6 months upto one year	120-00	60-00	48-00	60-00
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